

ORDINANCE NO. 3839

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, SECTION 24-86 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION), PROVIDING FOR A SCHEDULE OF WATER RATES."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

Section 24-86 Schedule

Effective July 1, 2018, the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release therefrom is permitted:

(a) EQUIVALENT DWELLING UNIT (EDU). The minimum meter charges shall be determined by the Equivalent Dwelling Unit (EDU), which shall be determined by the size of the meter servicing the customer. The following table sets forth the EDU multiplier for each meter size:

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Meter size (inches)	EDU
$\frac{3}{4}$ and below	1
1	2.5
1-1/2	5
2	8
3	16
4	25
6	50
8	80

(b) MINIMUM METER CHARGE FOR INSIDE CITY. The minimum charge for residential and industrial meter customers within the City shall be Four Dollars and Sixty-Six Cents (\$4.66) per month per EDU, for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section.

(c) MINIMUM METER CHARGE FOR OUTSIDE CITY. The minimum charge for residential and industrial meter customers outside the City shall be Six Dollars and Ninety-Nine Cents (\$6.99) per month per EDU for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be charged for in

accordance with the schedule of rates as set forth in subsection (f) of this section.

(d) MINIMUM METER CHARGE FOR WATER COMPANIES. The minimum charge for water companies shall be Thirty-Two Dollars and Two Cents (\$ 32.02) per month per EDU for single Water Company accounts such water company has with the City for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds the consumption in excess of capacity fee, in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section, as appropriate.

(e) Flat rates. There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section. All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

(f) CONSUMPTION RATES. The rates per month for residential and industrial water customers shall be as follows:

Class	Consumption	Rates WITHIN CITY LIMITS	RATES OUTSIDE CITY LIMITS
1	First 100 cubic feet	\$4.66	\$6.99 per EDU
2	Next 900 cubic feet, per cubic foot	0.0425	0.0637
3	Next 199,000 cubic feet, per cubic foot	0.0340	0.0475
4	Next 1,134,000 cubic feet, per cubic foot	0.0269	0.0404
5	Next 1,166,000 cubic feet, per cubic foot	0.0122	0.0122
6	All over 2,500,000 cubic feet, per cubic foot	0.0030	0.0030

(g) WATER COMPANIES. Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis and reselling that water shall pay the following monthly rates for each account such water company has with the City.

(1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

(2) Capacity Fee. Each water company shall pay a fixed capacity fee based on the number of EDU's calculated multiplied times the per month per EDU charge. The EDU amount is calculated annually determined by a percentage

(70%) of its highest months usage in the previous fiscal year calculated as follows:

$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{30} / 33.42$$

(3) Consumption in Excess of Capacity Fee.

Consumption in excess of the capacity fee shall be billed at the rate for customers located outside the City.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect July 1, 2018.

Passed this 19th day of June, 2018.



Brian K. Grim, MAYOR

ATTEST:



CITY CLERK

1<sup>st</sup> reading: 6/5/18  
2<sup>nd</sup> reading: 6/19/18  
3<sup>rd</sup> reading: 6/19/18  
Passed: 5-0

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, SECTION 24-86 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION), PROVIDING FOR A SCHEDULE OF WATER RATES."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

**[Section 24-86 Schedule]**

Effective ~~February 1, 2010~~ [July 1, 2018], the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release therefrom is permitted:

[(a) EQUIVALENT DWELLING UNIT (EDU). The minimum meter charges shall be determined by the Equivalent Dwelling Unit (EDU), which shall be determined by the size of the meter servicing the customer. The following table sets forth the EDU multiplier for each meter size:

Meter size (inches)	EDU
¾ and below	1
1	2.5
1-1/2	5
2	8

3	16
4	25
6	50
8	80

~~(a)~~ **[b.] MINIMUM METER CHARGE [FOR INSIDE CITY.]** The minimum charge for ~~domestic~~ **[residential and industrial]** meter customers within the City shall be ~~Four Dollars and Forty Three Cents (\$ 4.43)~~ **[Four Dollars and Sixty-Six Cents (\$4.66)]** per month per ~~Equivalent Dwelling Unit~~ EDU, for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection ~~(b)~~ **[(f)]** of this section.

**[c. MINIMUM METER CHARGE FOR OUTSIDE CITY.]** The minimum charge for ~~domestic~~ **[residential and industrial]** meter customers outside the City shall be ~~Six Dollars and Sixty Five Cents (\$ 6.65)~~ **[Six Dollars and Ninety-Nine Cents (\$6.99)]** per month per EDU for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be charged for in accordance with the schedule of rates as set forth in subsection ~~(e)~~ **[(f)]** of this section.

~~"The minimum charge for industrials within the City shall be Four Dollars and Forty Three Cents (\$ 4.43) per month per EDU, for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (c) of this section.~~

~~"The minimum charge for industrials outside the City shall be Six Dollars and Sixty Five Cents (\$ 6.65) per month per EDU, for which sums of water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (c) of this section.~~

[d. MINIMUM METER CHARGE FOR WATER COMPANIES.] The minimum charge for water companies shall be ~~Thirty Dollars and Forty Nine Cents (\$ 30.49)~~ **[Thirty-Two Dollars and Two Cents (\$ 32.02)]** per month per EDU for single Water Company accounts such water company has with the City for which sum water up to and including one hundred cubic feet may be used. ~~The minimum charge for combined water companies with multiple accounts shall be Thirty One Dollars and Forty Nine Cents (\$ 31.49)~~ ~~[Thirty Three Dollars and Seven Cents (\$33.07)]~~ per month per EDU for all combined accounts such

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~~water company has with the City for which sum water up to and including one hundred cubic feet may be used.~~ If the quantity of water used exceeds the consumption in excess of capacity fee, in any month, such excess shall be charged for according to the schedule of rates set forth in ~~subsection (f) or subsection (g)~~ (f) of this section, as appropriate.

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[(e) Flat rates.] [There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section.] All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

~~(b) [(f)] DOMESTIC CONSUMPTION INSIDE CITY.~~  
[CONSUMPTION RATES.] The rates per ~~quarter~~ [month] for a domestic consumer residing within the City [for residential and industrial water customers] shall be as follows:

~~"(1) For the first 100 cubic feet, Four Dollars and Forty Three Cents (\$ 4.43).~~

~~"(2) For the next 900 cubic feet, \$ .0404 per cubic foot.~~

~~“(3) For the next 199,000 cubic feet, \$.0323 per cubic foot.~~

~~“(4) For the next 1,134,000 cubic feet, \$.0256 per cubic foot.~~

~~“(5) For the next 1,166,000 cubic feet \$ .01161 per cubic foot.~~

~~“(6) For all over 2,500,000 cubic feet, \$ .00281 per cubic feet.~~

~~“(c) SAME OUTSIDE CITY. The rates per quarter for domestic customers living outside the City shall be as follows:~~

~~“(1) For the first 100 cubic feet, Six Dollars and Sixty Five Cents (\$ 6.65)~~

~~“(2) For the next 900 cubic feet, Cents \$.0606 per cubic feet.~~

~~“(3) For the next 199,000 cubic feet, \$.0452 per cubic feet.~~

~~“(4) For the next 1,134,000 cubic feet, \$.0384 per cubic feet.~~

~~“(5) For the next 1,166,000 cubic feet \$.01161 per cubic feet.~~

~~“(6) For all over 2,500,000 cubic feet, \$0.00281 per cubic foot.~~

~~"(d) FLAT RATES. There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section.~~

~~"(e) INDUSTRIAL RATES. Any customer using water in connection with the manufacture or production of any product, or any customer using over Forty Thousand cubic feet of water per month, unless specific charges to such customers are herein provided for.~~

Class	Consumption	Rates WITHIN CITY LIMITS	RATES OUTSIDE CITY LIMITS
1	First 100 cubic feet	<del>\$4.43</del> [\$4.66]	\$6.49 [\$6.99] <u>per EDU</u>
2	Next 900 cubic feet, per cubic foot	0.0404 <del>[\$0.0425]</del>	0.0606 [0.0637]
3	Next 199,000 cubic feet, per cubic foot	0.0323 [0.034]	0.0452 [0.0475]
4	Next 1,134,000 cubic feet, per cubic foot	0.0256 [0.0269]	0.0384 [0.0404]
5	Next 1,166,000 cubic feet, per cubic foot	0.01161 [0.0122]	0.01161 [0.0122]
6	All over 2,500,000 cubic feet, per cubic foot	0.00281 [0.003]	0.00281 [0.003]

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~~(f)~~ [(g)] WATER COMPANIES. Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis and reselling that water shall pay the following monthly rates for each account such water company has with the City.

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(1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

(2) Capacity Fee. Each water company shall pay a fixed capacity fee based on the number of EDU's calculated multiplied times the per month per EDU charge. The EDU amount is calculated annually determined by a percentage (70%) of its highest months usage in the previous fiscal year calculated as follows:

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$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{30} / 33.42$$

(3) Consumption in Excess of Capacity Fee.

Consumption in excess of the capacity fee shall be billed at the rate for ~~industrial~~ customers located outside the City.

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~~(g) COMBINED MULTIPLE WATER METERS FOR A SINGLE WATER COMPANY. Companies purchasing from at least one location in~~

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~~excess of 140,000 cubic feet of water from the City on a monthly basis, and with multiple water meter accounts for multiple water company locations, with the City, all being owned by the same single WATER COMPANY, shall pay the following monthly rates for the combined accounts such water company has with the City.~~

~~————— (1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.~~

~~————— (2) Multiple Water Accounts shall mean where there are multiple (more than one) water meters, at multiple (more than one) locations which qualify as a Water Company.~~

~~————— (3) Capacity Fee. Each water company shall pay a fixed capacity fee determined by a percentage of its highest months usage in the previous fiscal year calculated as follows:~~

$$\frac{\text{PEAK MONTHLY USE} \times 0.6}{30} / 33.42$$

~~————— (4) Consumption in Excess of Capacity Fee.~~

~~Consumption in excess of the capacity fee shall be billed at the rate for industrial customers located outside the city.~~

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SECTION 2: AND BE IT FURTHER ORDAINED, that this  
Ordinance shall take effect ~~March 1, 2010~~ [July 1, 2018].

Passed this \_\_\_\_\_ day of June, 2018.

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Brian K. Grim, MAYOR

ATTEST:

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CITY CLERK

Note\*

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